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**Cc:** Susan Butler (sbutler@capitolresourcesllc.com)[sbutler@capitolresourcesllc.com]; Lyman, John (Perkins Coie)[JLyman@perkinscoie.com]  
**From:** Johnson Koch, LeAnn M. (Perkins Coie)  
**Sent:** Mon 12/4/2017 7:11:30 PM  
**Subject:** RE: Small Refinery Hardship Scoring -- DOE Metrics -- Follow-Up Meeting Week of December 4

All –

Just checking in to see if we can schedule our follow-up to our October 27 meeting to discuss scoring of small refineries under the 2011 DOE study scoring metrics. We will make ourselves available whenever it is convenient for the agencies. Would later this week or early next week work?

Thanks,

LeAnn

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**From:** Johnson Koch, LeAnn M. (WDC)  
**Sent:** Wednesday, November 15, 2017 6:51 PM  
**To:** 'gunasekara.mandy@epa.gov'; Alex Dominguez (dominguez.alexander@epa.gov); 'Doug.matheney@hq.doe.gov'; 'kyle.yunaska@hq.doe.gov'; 'mark.maddox@hq.doe.gov'  
**Cc:** Susan Butler (sbutler@capitolresourcesllc.com); Lyman, John (WDC)  
**Subject:** Small Refinery Hardship Scoring -- DOE Metrics -- Follow-Up Meeting Week of December 4

All -

Thank you for meeting with us on October 27 to discuss DOE's scoring of small refinery hardship petitions under the Renewable Fuel Standard pursuant to the metrics in DOE's 2011 study. During our meeting, you indicated that you would need a little time to review our meeting materials, digest the information from the meeting, and then schedule a follow-up meeting. I wanted to check in with you about scheduling the follow-up meeting. We will make ourselves available whenever it is convenient for you.

Because next week is Thanksgiving, I was wondering if we could schedule a meeting for the week of December 4<sup>th</sup>?

For your convenience, I'm attaching a copy of some of the materials we provided at the meeting: (1) the document we prepared on DOE scoring of the metrics in 2016 and prior years; (2) the metrics, excerpted from the 2011 study; (3) Appendix B-5 to the DOE study, which describes the competitive distortion in favor of large integrated oil companies and the harm to small refineries from high RIN-prices; and (4) an example (redacted) contract showing that small refiners are not recovering their RIN costs in higher prices paid for their transportation fuel, as stated in the Burkholder paper (the contracts show that small refiners are forced to discount their fuel and give away RIN value, even though they need the RINs for compliance). Please let us know if there is other information that would be helpful to see in advance of the meeting.

Thank you for your consideration. We look forward to further discussing these issues with you.

LeAnn

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